

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MILES BRICE,	§
	§ No. 106, 2011
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0107007736
Plaintiff Below-	§
Appellee.	§

Submitted: January 3, 2012  
Decided: January 18, 2012

Before **STEELE**, Chief Justice, **HOLLAND**, and **RIDGELY**, Justices

**ORDER**

This 18<sup>th</sup> day of January 2012, after careful consideration of the opening brief and the motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's order adopting the Commissioner's decision dated December 9, 2010. The Superior Court did not err in concluding that appellant's second motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice